

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GRAMMER INDUSTRIES, INC.

Plaintiff,

Case No. 15-cv-12694
Hon. Paul D. Borman

v.

BEACH MOLD AND TOOL, INC.,

Defendant.

JOINT DISCOVERY PLAN PURSUANT TO FED.R.CIV.P.26(f)

The parties hereby submit the following Joint Discovery Plan.

1. Conference of the Parties. Counsel for the parties met and discussed the issues identified under Fed. R. Civ. P. 26(f).
2. Plaintiff's Claims. The following is a summary of the nature of Plaintiff's claims: Plaintiff claims that Defendant breached its obligation to return to Plaintiff certain tooling owned by Plaintiff and purchased from the Defendant and/or utilized by Defendant in manufacturing products for Plaintiff.
3. Defendant's Defenses. The following is a summary of the nature of Defendant's defenses: Defendant denies that it sold any tooling to Plaintiff or had any contractual obligation to provide the referenced tooling and contends upon information and belief that the tooling was returned to Plaintiff by the entity that manufactured and shipped the related parts and that Plaintiff's claims are barred.
4. Subject Matter Jurisdiction. The parties agree that this Court has jurisdiction under 28 U.S.C. §§ 1332(a)(1).
5. Relationship to Other Cases. None.
6. Proposed Scheduling Order. Counsel for the parties have read the Court's guidelines on discovery, developed the following plan, and recommend that the Court enter an order to this effect:

EVENT**DEADLINE**

Amendment of Pleadings	November 16, 2015
Preliminary Lay Witness Lists	November 30, 2015
Expert Witness Lists	December 15, 2015
Expert Rebuttal Witness Lists	January 15, 2016
Fact Discovery Cutoff	March 31, 2016
Expert Discovery Cutoff	April 15, 2016
Interim Status Conference	January 2016
Dispositive Motions	April 29, 2016
Challenges to Experts	May 15, 2016
Motions <i>in Limine</i>	May 31, 2016
Proposed Joint Final Pretrial Order	May 31, 2016
Final Pretrial Conference	June 2016
TRIAL	July 2016
Estimated Length of Trial	2 days

7. Anticipated Motions. Both parties may file motions for summary judgment or partial summary judgment after the close of discovery or earlier depending upon information obtained during the course of discovery.

8. Alternative Dispute Resolution. Counsel for the parties have discussed the possibility of prompt resolution, including the advisability of alternative dispute resolution, arbitration, early facilitative mediation, and an early settlement conference with the Court, and report as follows: The parties may agree to participate in non-binding facilitation or other methods of alternative dispute resolution before a federal magistrate judge or a facilitator. The parties also agree that a subsequent status and settlement conference would be helpful after the close of discovery or at other appropriate times during the litigation process.

Respectfully submitted,

VARNUM LLP

By: /s/ Richard T. Hewlett
Richard T. Hewlett (P41271)
39500 High Pointe Blvd., Suite 350
Novi, MI 48375
(248) 567-7400
rthewlett@varnumlaw.com
Attorneys for
Beach Mold and Tool, Inc.

Dated: November 3, 2015

FOLEY & LARDNER LLP

By: /s/ Mark A. Aiello
Mark A. Aiello (P43012)
Michelle A. Freeman (P79790)
500 Woodward Ave. , Suite 2700
Detroit, MI 48226
(313) 234-7100
maiello@foley.com
mfreeman@foley.com
Attorneys for
Grammer Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on **November 3, 2015**, I electronically filed *Joint Discovery Plan Pursuant to Fed.R.Civ.P.26(f)* with the Clerk of the Court using the ECF system, which will send notification to all counsel of record.

/s/ Mark A. Aiello
Mark A. Aiello